

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
RAS Citron, LLC 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number 470-321-7112 Attorneys for Secured Creditor Aleisha C. Jennings, Esq. (AJ-2114)	CASE NO.: 19-32508-MBK CHAPTER 13 Objection to Confirmation of Debtor's Chapter 13 Plan
In Re: Donald Piercey Debtor,	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

Nationstar Mortgage LLC D/B/A Mr. Cooper ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 2), and states as follows:

1. Debtor, Donald Piercey, ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on December 2, 2019.
2. Secured Creditor holds a security interest in the Debtor's real property located at 51 Bateman Way, Hillsborough, NJ 08844, by virtue of a Mortgage recorded on October 14, 2015 in Book 6828, at Page 3309-3326 of the Public Records of Somerset County, NJ. Said Mortgage secures a Note in the amount of \$254,000.00.
3. The Debtor filed a Chapter 13 Plan on December 2, 2019.
4. Secured Creditor filed a Proof of Claim in this case on January 23, 2020, Claim No. 7-1.
5. The Plan fails to include payments toward the Note and Mortgage with Secured Creditor in accordance with Secured Creditor's timely-filed Proof of Claim. The correct pre-petition arrearage due Secured Creditor is \$1,624.12. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$1,624.12 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Citron, LLC
Attorney for Secured Creditor
130 Clinton Road, Suite 202
Fairfield, NJ 07004
Telephone Number 470-321-7112

By: /s/Aleisha C. Jennings
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CERTIFICATION OF SERVICE

1. I, Aleisha C. Jennings, represent Nationstar Mortgage LLC D/B/A Mr. Cooper in this matter.
2. On January 30, 2020, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below: Objection to Confirmation of Debtor's Chapter 13 Plan
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

January 30, 2020

RAS Citron, LLC
Attorney for Secured Creditor
130 Clinton Road, Suite 202
Fairfield, NJ 07004
Telephone Number 470-321-7112

By: /s/Aleisha C. Jennings
Aleisha C. Jennings, Esquire
NJ Bar Number AJ-2114
Email: ajennings@rasnj.com

<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
William S. Wolfson, LLC, Esq. 260 US Highway 202/31 Suite 1100 Flemington, NJ 08822	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Donald Piercey 51 Bateman Way Hillsborough, NJ 08844	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853	Standing Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)